

Checklist **Disinterment**

Filing Fee

Court Costs: \$144.00

* Service Fees for FedEx Commercial Carrier Service will be due at the time of hearing or upon issuance of an Order to Disinter Remains *if applicable*

Requirements

A disinterment is an action in which a party seeks to remove remains from a current place of interment to new a location or removed for cremation. This action is filed in the Probate Court in the county in which the decedent is buried.

The Process

The documents below need to be prepared and filed in our court with the filing fee as stated above. If all parties entitled to notice of the disinterment sign the waiver of notice, a hearing may not be necessary.

If all parties entitled to notice do not waive notice, then a hearing will be necessary. Those who did not waive notice will be served notice of the application and hearing by FedEx Commercial Carrier.

Note: All paperwork must be typed. We will not accept handwritten documents.
All filings must be single-sided. We will not accept double-sided originals.
Please do not staple original paperwork. We cannot accept filings with staples.

Initial Filing

- ☐ Application for Order to Disinter Remains (Form 25.0)
- ☐ Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)
- ☐ Contact Information Form (GC Form 75.3-A)
- ☐ Self-Representation Acknowledgment (GC Form 75.1) *If applicable*
 - o This form **must** be filed if applicant is not represented by an attorney.
- ☐ Waiver of Notice of Application to Disinter Remains (Form 25.5).
 - o This must be signed by everyone on the (Form 1.0) (both page 1 and page 2)
 - o This must also be signed by “the board of township trustees, the trustees or directors of a cemetery association, or the other officers having control and management of the cemetery in which the remains of the decedent are interred or to the officer of a municipal corporation who has control and management of a municipal cemetery in which the remains of the decedent are interred” (as *per Ohio Revised Code Section 517.24*)
 - o If waivers cannot be obtained, see Notice requirements under “Hearing” below
- ☐ Affidavit of Service of Notice on Hearing on Application for Disinterment (Form 25.3). *If applicable*
 - o This will be used only if you do not have an address for someone who is entitled to notice.
- ☐ Order to Disinter Remains (Form 25.6)

Hearing

A hearing is necessary if Waivers are not provided from all parties entitled to Notice. If there is a hearing needed, then the following forms are necessary:

- ☐ Judgment Entry Setting Hearing on Application for Disinterment (Form 25.1).
- ☐ Notice of Hearing on Application for Disinterment (Form 25.2).
 - o This is prepared for each person who does not waive notice. These must be brought in with the initial filing. The court will issue service to all parties who have not waived notice.

Later Filing

- ☐ Verification of Reinterment (Form 25.4).
 - o This needs to be completed and filed after the reinterment is complete.
 - o If the disinterment is being done for a cremation, then in lieu of this form, proof that the cremation has been completed must be provided to the court.